



Dog Friendly Patio Variance

August 2015



In addition to the U.S. Food and Drug Administration 2009 Food Code Rule 6.501.115, no dog shall be allowed on a food establishment premises unless the Douglas County Health Department (DCHD) has approved a Dog Friendly Patio/Deck¹ Variance for the food establishment. A Dog Friendly Patio/Deck Variance shall not be issued unless the food establishment submits a written plan to DCHD describing how it will comply with the following standards:

Permit

- a. Only a separate, renewable, one-year permit and fee will be available. The fee is paid after the patio/deck has been inspected and the inspected area is in compliance with the variance. The permit will be valid one year from the date of the inspection. However, the permit may be revoked prior to one year if an inspection is conducted prior to the one year interval and the establishment patio is found noncompliant.
- b. Only restaurants and cafes are permitted to operate a dog friendly patio/deck.
- c. Establishment owners are required to maintain appropriate liability insurance.
- d. Applications will be directed to the Environmental Health Division, Douglas County Health Department, 1111 South 41st Street, Omaha, NE 68105.

Signage

- e. A sign with at least one inch letters posted so that it is easily visible to the public. The sign shall state **"Dog Friendly Patio/Deck - Dog access only through exterior patio entrance"**.
- f. Establishment owners are responsible for erecting signage.
- g. A sign or signs informing employees of these recommendations shall be posted on the premises in a conspicuous manner.
- h. Signage regarding dog access to restaurant patio/deck will be posted based on approval by the Douglas County Health Department Sanitarian.

Patio/Deck Design and Cleaning

- i. Patio/Deck surfaces shall be constructed of materials that are smooth, durable, and easily cleanable.
- j. Establishment owners must provide a separate exterior entrance to the outdoor patio/deck to prevent entering the food establishment's interior or any playground area. A dog on an outdoor patio/deck shall not be allowed within 10 feet of any entrance to the interior of the food establishment, except when necessary to enter or exit the patio/deck.
- k. Doors equipped with self-closing devices must be provided at all entrances to the outdoor patio/deck from the interior of the food establishment.
- l. No food may be prepared, including mixing drinks and serving ice, in the outdoor patio/deck area, except that a beverage glass may be filled from a pitcher or other container that has been filled or otherwise prepared inside the food establishment.
- m. By allowing pet dogs in the outdoor dining or patio/deck area of the restaurant, the owner of the business becomes responsible for maintaining this area in a clean and sanitary condition.

¹Patio: An area, usu. paved, [typically] adjoining a house [building] and used for outdoor lounging, dining, etc. Dictionary.com; <http://dictionary.reference.com/browse/patio?s=t> accessed: 14 August 2014.

Deck: An open, unroofed porch or platform extending from a house or other building. Dictionary.com; <http://dictionary.reference.com/browse/deck?s=t> Accessed: 14 August 2014.

- n. The outdoor patio/deck must be continuously maintained free of visible dog hair, dog dander, and other dog-related waste or debris. Waste created from a dog's bodily functions must be immediately cleaned and sanitized with animal-friendly chemicals. All dog waste shall be placed in a fly-tight container located adjacent to the patio/deck and outside of the patio/deck area and disposed of outside of the food establishment in an appropriately covered waste receptacle. Separate cleaning equipment (*Mop, Bucket & Supplies*) shall be used to clean the outdoor patio/deck, and shall be stored separate from the mop, bucket, and supplies used for indoor cleaning.
- o. The outdoor patio shall be hosed and mopped with animal-friendly chemicals every six business hours, except when no dog has been present on the outdoor patio/deck since the last cleaning. The outdoor patio/deck must be hosed down or mopped at each shift change or every six hours.
- p. After food business employees perform cleaning and maintenance of these areas, they are required to properly wash their hands at the outdoor hand washing station.
- q. Patio must have an antibacterial hand washing station on the patio/deck, if the food establishment owner elects to provide wait service. Otherwise, wait service will not be allowed on the patio.

Behavior of Dogs and with Dogs

- r. Establishment owners are required to train employees about appropriate² dog behavior.
- s. Employees shall not touch, pet, or otherwise handle any dog while serving food or beverages or handling tableware.
- t. Dog owners (excluding service dog owners) must show behavior training certificate if establishment owner requests.
- u. Dog owners must not allow children to pet their dog, unless the child is a family member.
- v. Dog owners must comply with all Douglas County Animal Ordinances as they refer to pet canines.
- w. Dogs must wear current rabies vaccination tags on their collar.
- x. All dogs shall be kept on a short leash and remain in the control of the customer at all times while in the outdoor patio/deck area. All dogs shall wear a collar or harness at all times.
- y. Dogs shall not be allowed on any seat, chair, a patron's lap, table, countertop, or similar surface in the outdoor patio/deck area.
- z. Dogs will not be fed, but will be allowed to drink. Dogs shall not be allowed to have any contact with reusable food service dishes or utensils. A dog may only have contact with disposable single service containers that provide water to the dog.

² Appropriate behavior would prohibit biting, barking, howling, aggressive behavior (show threatening signs such as growling, showing teeth, physically attacking patrons and/or their dogs, etc.)